

1990 losses due to freeze, earthquake, or related condition; \$25,000 for 1991 losses due to freeze, earthquake, or related condition; \$25,000 for 1992 losses due to freeze, earthquake, or related condition; \$25,000 for 1992 losses due to hurricane, typhoon, or related condition; \$25,000 for 1993 losses resulting from damaging weather or related conditions; \$25,000 for 1994 losses resulting from damaging weather or related conditions associated with the conditions (as defined in sec. 2251 of Public Law 101-624. Participants may elect not to replant the maximum amount of eligible trees because of the limitation being reached for payment limitation purposes or any other reason. If an original owner has entered into TAP and the ownership of land or trees is transferred to another owner, county offices shall not pay an increased amount for the trees covered by the original agreement because of an increase in the number of "persons" associated with the new ownership.

(b) The amount of payments which any person, as determined in accordance with part 1497 of this chapter, may receive under this part in connection with losses of forest tree seedlings planted to produce trees for harvest shall not exceed \$25,000 for 1990 losses due to drought, earthquake, or related conditions; \$25,000 for 1991 losses due to drought, earthquake, or related conditions; and \$25,000 for 1992 losses due to drought, earthquake, or related conditions; and \$25,000 for 1992 losses due to hurricane, typhoon, or related conditions; \$25,000 for 1993 losses resulting from damaging weather or related conditions; \$25,000 for 1994 losses due to damaging weather or related conditions associated with the condition (as defined in sec. 2251 of Public Law 101-624. Participants may elect not to replant the maximum amount of eligible trees because of the limitation being reached for payment limitation purposes or any other reason. If an original owner has entered into TAP and the ownership of land or trees is transferred to another owner, county offices shall not pay an increased amount for the trees covered by the original agreement because of an increase in the number of "persons" associated with the new ownership.

(c) The amount of payments which any person, as determined in accordance with part 1497 of this chapter, may receive under this part in connection with losses of nursery inventory shall not exceed \$25,000 for 1992 for losses due to hurricane, typhoon, and related conditions; for \$25,000 for 1993 for losses due to damaging weather or related conditions; and \$25,000 for 1994 for losses due to damaging weather or related conditions.

[60 FR 52617, Oct. 10, 1995]

**§ 1478.10 Liens and claims of creditors; set-offs.**

Any payment or portion thereof due any person under this part shall be allowed without regard to questions of title under State law, and without regard to any claim or lien in favor of any person except agencies of the U.S. Government. The regulations governing set-offs and withholdings found at part 1403 of this chapter shall be applicable to this part.

[60 FR 52617, Oct. 10, 1995]

**§ 1478.11 Appeals.**

Any person who is dissatisfied with a determination made with respect to this part may make a request for reconsideration or appeal of such determination in accordance with the appeal regulations set forth at part 780 of this title or as established by the National Appeals Division, USDA whichever is applicable.

[60 FR 52617, Oct. 10, 1995]

**§ 1478.12 Misrepresentation and scheme or device.**

(a) A person who is determined by the State committee or the county committee to have:

(1) Adopted any scheme or device which tends to defeat the purpose of this program;

(2) Made any fraudulent representation; or

(3) Misrepresented any fact affecting a program determination shall be ineligible to receive assistance under this program.

(b) All moneys paid by CCC under this part to any such person or to any other person as a result of such person's actions shall be refunded to CCC